

the prior affirmative consent of the person about whom the information pertains.

SEC. 9. APPLICATION WITH OTHER LAWS.

Nothing in this title shall apply to the Department of the Treasury or the Internal Revenue Service, to the extent that—

(1) it involves the administration of the internal revenue laws; and

(2) it conflicts with any provision of the Internal Revenue Service Restructuring and Reform Act of 1998 or the Internal Revenue Code of 1986.

SEC. 10. DEFINITIONS.

For purposes of this Act:

(1) **EXECUTIVE AGENCY.**—The term “executive agency” has the meaning given that term in section 105 of title 5, United States Code.

(2) **ELECTRONIC SIGNATURE.**—The term “electronic signature” means a method of signing an electronic message that—

(A) identifies and authenticates a particular person as the source of such electronic message; and

(B) indicates such person's approval of the information contained in such electronic message.

(e) **FORM, QUESTIONNAIRE, OR SURVEY.**—The term “form”, “questionnaire”, and “survey” include documents produced by an agency to facilitate interaction between an agency and non-government persons.

AMENDMENT NO. 3679

(Purpose: To add the provisions of S. 2326, as ordered reported by the Committee on Commerce, Science, and Transportation and as further modified, as a separate title to the bill)

(The text of amendment No. 3679 is printed in today's RECORD under “Amendments Submitted.”)

Mr. MCCAIN. Mr. President, these two amendments are not relevant, but they are acceptable to both sides.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments (Nos. 3678 and 3679) were agreed to.

Mr. MCCAIN. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3678

Mr. ABRAHAM. Mr. President, I want to take a moment to discuss language that has been added to this legislation, the “Government Paperwork Elimination Act.” In May, I introduced S. 2107 to enhance electronic commerce and promote the reliability and integrity of commercial transactions through the establishment of authentication standards for electronic communications. S. 2107 was reported by the Committee on Commerce, Science, and Transportation last month.

After the bill was reported, it was discovered that the bill was erroneously referred to the Commerce Committee and should have been referred to the Committee on Governmental Affairs. S. 2107 deals with Federal government information issues and, according to the parliamentarian, falls directly within the jurisdiction of Governmental Affairs. I understand a similar bill had been approved by Governmental Affairs last Congress.

Obviously, this was discovered late in the session. Nevertheless, Senator

THOMPSON, the chairman of the Governmental Affairs Committee, worked with me to develop language which combines language from the bill reported by his Committee last Congress and S. 2107. I want to thank my colleague from Tennessee for his help and insight. He spent a great deal of time assisting me with this legislation and, in my opinion, his language makes many improvements to the original bill.

Mr. THOMPSON. Mr. President, I thank my colleague from Michigan for his hard work on and dedication to information technology issues. The Committee on Governmental Affairs which I chair has had a long and involved history with this issue.

This language which we are discussing today seeks to take advantage of the advances in modern technology to lessen the paperwork burdens on those who deal with the Federal government. This is accomplished by requiring the Office of Management and Budget, through its existing responsibilities under the “Paperwork Reduction Act” and the “Clinger-Cohen Act,” to develop policies to promote the use of alternative information technologies, including the use of electronic maintenance, submission, or disclosure of information to substitute for paper, and the use and acceptance of electronic signatures.

The Federal government is lagging behind the rest of the nation in using new technologies. Individuals who deal with the Federal government should be able to reduce the cumulative burden of meeting the Federal government's information demands through the use of information technology. This language hopefully will provide the motivation that the Federal government needs to make this possible for our nation's citizens.

I thank Senator ABRAHAM for offering us the opportunity to work with him on this important issue.

MORNING BUSINESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, as I understand, we are in morning business for up to 10 minutes. I ask unanimous consent to be able to proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PATIENTS' BILL OF RIGHTS

Mr. KENNEDY. Mr. President, we are reaching the final days of this Congress, and the leadership is deciding about which measures the Senate is going to consider during these final few days.

As I mentioned previously, we have identified a number of different pieces of legislation that I don't believe, and I don't think the American people believe rise up in importance as to protecting the families of this country with the kinds of protections that we would have with our Patients' Bill of Rights. But, we have been unable to have this legislation up before the Senate, to have it debated and discussed, and to have a resolution by this body in a timely way.

As I have mentioned on other occasions, it is Friday afternoon at 2 o'clock and most Americans are still working. The Senate should be, on an issue of this importance, still here and debating these issues and resolving these matters in ways which I think, with a full debate and an open discussion, resolve these matters in favor of the families, in favor of the patients, in favor of this country.

It is a very basic and fundamental issue—whether we are going to have the medical professionals—the doctors and nurses—make the ultimate judgment in terms of health care, or whether those decisions are going to be made by the HMOs, the insurance companies, and their accountants.

For all Americans who are participating in these HMOs, they have paid the premiums and they expect their medical treatment will be decided by medical professionals, and not accountants in the insurance industry.

I doubt very much whether these HMOs—when they are out recruiting new members to join and pay their premiums from their hard-earned money which they work for every single day—are saying, “Well, we want you to know that the people who are going to be making decisions about your health care are going to be the accountants, and not the doctors we are referencing in our pamphlets.”

Mr. President, this morning in the Wall Street Journal on the front page there was a rather ominous report. This is from this morning, Friday, October 2nd, on the front page of the Wall Street Journal: “Politicians seek to profit from the debate over health-care policies.”

This is the debate—the one issue—that is before the U.S. Senate, the Patients' Bill of Rights. There are other health care issues. But this is the health care issue that commands the wide-range support of over 180 different organizations reflecting all of the various medical professionals—all the